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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Maik Moebus

Serial No. 09/890,511

I.A. No. PCT/EP00/01359

I.A. Filing Date: February 18, 2000

For: PANEL WITH SLIP-ON PROFILE

Attorney's Docket 0412-101P

Commissioner of Patents and Trademarks  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Request for Clarification of Status, Reinstatement if Necessary, and  
Action on the Merits**

Sir:

1. This application was revived in June 2003 and a request for a corrected filing receipt was filed in August 2003.
2. A notice of withdrawal of Notice of Abandonment was mailed July 7, 2003.
3. A notification of Defective Response was mailed July 7, 2003 to which a response was made on July 14, 2003 (see receipt).
4. A corrected filing receipt was mailed February 27, 2004.
5. On December 17, 2004 a Notice under CFR 1.251 (attached) was mailed requesting a copy of the petition decision dated "4-29-2002". There is no such decision dated "4-29-2002", rather, there is a petition decision dated "4-29-2003".
6. On December 20, 2004, the date the December 17, 2004 notice was received, the undersigned attorney contacted the USPTO – J. Murphy who confirmed that

Serial No. 09/890,511

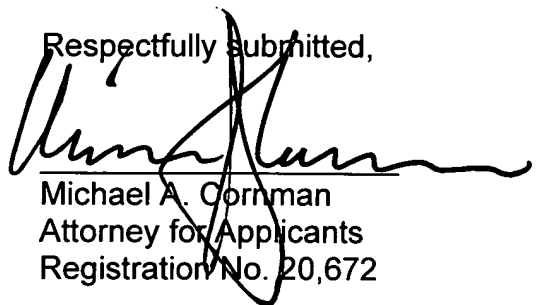
"4-29-2002" was a "mistake" and that the "4-29-2003" petition was in the file and that the application was in good standing.

7. PAIR now indicates this application has been abandoned. This is clearly an error which must be corrected.

8. An early action on the merits is requested.

Schweitzer Cornman Gross & Bondell LLP  
292 Madison Avenue, 19<sup>th</sup> Floor  
New York, NY 10017  
Tel: 646-424-0770  
Fax: 646-424-0880  
**CUSTOMER NO. 022831**

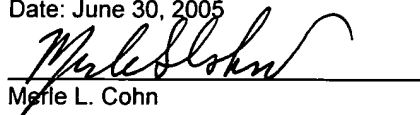
Respectfully submitted,



Michael A. Cornman  
Attorney for Applicants  
Registration No. 20,672

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.

Date: June 30, 2005



Merle L. Cohn



## Postcard Sheet

Received by SCGB: July 28, 2003

0412-101P

USRegUtilPat

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PANEL WITH SLIP-ON PROFILE

Attorney (initial)

mlc

Attorney Docket: 0412-101P  
Attorney: MAC  
Mailing Date: 7/14/2003  
Serial Number: 09/890,511

By its stamp hereon, the U.S. Patent and Trademark Office  
acknowledges receipt of the following paper(s) in the above  
application:

Response to Notification of Defective RResponse  
Signed Declaration  
\$130 surcharge  
Copy, Notification of Defective Response  
Copy, Withdrawal of Previously Sent Notice

DT2G RECEIVED 16 JUL 2003



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/890,511	07/16/2003	Maik Moebus	0412-101P	3494

22831 7590 12/17/2004

SCHWEITZER CORNMAN GROSS & BONDELL LLP  
292 MADISON AVENUE - 19th FLOOR  
NEW YORK, NY 10017

EXAMINER

ART UNIT

PAPER NUMBER

SCHWEITZER CORNMAN  
GROSS & BONDELL LLP

DATE MAILED: 12/17/2004

DEC 20 2004

FLS FS3 JAB  
MAC MAG  
TM OK to File

Please find below and/or attached an Office communication concerning this application or proceeding.



*Conf. w/ Iking -  
12/20/04 -  
" mistake " - petition is 4/29/03 -  
in file.  
MAC*



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**NOTICE UNDER 37 CFR 1.251 - Pending Application**

☐ The file of the above-identified application cannot be located after a reasonable search. Therefore, the Office is initiating the reconstruction of the file of the above-identified application pursuant to the provisions of 37 CFR 1.251.

Applicant is given a period of **THREE (3) MONTHS** from the mailing date of this notice within which to provide a copy of applicant's record (if any) of all of the correspondence between the Office and applicant for the above-identified application (except for U.S. patent documents), a list of such correspondence, and a statement that the copy is a complete and accurate copy of applicant's record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and whether applicant is aware of any correspondence between the Office and applicant for the above-identified application that is not among applicant's records.

☒ The following paper(s) pertaining to the above-identified application cannot be located after a reasonable search:

PETITION DECISION DATED 4-29-2002

Therefore, the Office is initiating the reconstruction of such paper(s) pursuant to the provisions of 37 CFR 1.251.

Applicant is given a period of **THREE (3) MONTHS** from the mailing date of this notice within which to provide a copy of the paper(s) listed above and a statement that the copy of such paper(s) is a complete and accurate copy of applicant's record of such paper(s).

Alternatively, applicant may reply to this notice by producing applicant's record (if any) of all of the correspondence between the Office and the applicant for the above-identified application for the Office to copy (except for U.S. patent documents), and provide a statement that the papers produced by applicant are applicant's complete record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), whether applicant is aware of any correspondence between the Office and the applicant for the above-identified application that is not among applicant's records. Such records must be brought to the Customer Service Center in the Office of Initial Patent Examination (Crystal Plaza 2, 2011 South Clark Place, Arlington, VA 22202).

If applicant does not possess any record of the correspondence between the Office and the applicant for the above-identified application (or any copy of the paper(s) listed above), applicant must reply to this notice by providing a statement that applicant does not possess any record of the correspondence between the Office and the applicant for the above-identified application.

**Failure to reply to this notice in a timely manner will result in abandonment of the above-identified application. The three-month period for reply to this notice may be extended (up to a maximum of six months) under the provisions of 37 CFR 1.136(a). However, failure to reply within this three-month period will result in a reduction of any patent term adjustment. See 37 CFR 1.704(b).**

☐ A printout from PALM of the contents of the file of the above-identified application is included with this notice.

Direct the reply to this notice to:

Mail Stop: MISSING PARTS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Direct questions concerning this notice to:

James Murphy

(703) 305-6890

In re Application of: \_\_\_\_\_

Application No.: \_\_\_\_\_

Filing Date: \_\_\_\_\_

Title: \_\_\_\_\_  
\_\_\_\_\_

Direct to:

Mail Stop MISSING PARTS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450**NOTICE UNDER 37 CFR 1.251 – Pending Application****Statement (check the appropriate box):**

☐ The copy submitted with this reply is a complete and accurate copy of applicant's record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and applicant for the above-identified application that is not among applicant's records.

☐ The copy of the paper(s) listed in the notice under 37 CFR 1.251 is/are a complete and accurate copy of applicant's record of such paper(s).

☐ The papers produced by applicant are applicant's complete record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and the applicant for the above-identified application that is not among applicant's records.

☐ Applicant does not possess any record of the correspondence between the Office and the applicant for the above-identified application.

\_\_\_\_\_  
Date\_\_\_\_\_  
Signature\_\_\_\_\_  
Typed or printed name**A Copy of this notice should be returned with the reply.**

Burden Hour Statement: This collection of information is required by 37 CFR 1.251. The information is used by the public to reply to a request for copies of correspondence between the applicant and the USPTO in order to reconstruct an application file. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 60 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.